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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/530,270

08/01/2005

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DQ 001 PCT/US

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7590 11/21/2007
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EXAMINER

EDWARDS JR, TIMOTHY

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

11/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/530,270

Applicant(s)

BOYADJIEFF ET AL.

Examiner

Timothy Edwards, Jr.

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 1-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 21-34, 36-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Galle '433.

Considering claim 21, Galle discloses a conductor system for well bore data transmission comprising, a) a signal conductor and a tubular (see col 6, lines 21-24 and fig 6A); b) signal conductor located adjacent an interior surface of the tubular (see fig 6A); c) a thin coating on the interior of the tubular, for smoothing the interior surface to improve the hydraulic and hydrodynamic properties of the tubular (see col 8, lines 25-35 and fig 6A); d) signal conductor beneath the thin coating (see col 8, lines 59-62 and figs 6A and 6B).

Considering claim 22 Galle discloses the limitation of this claim (see col 8, lines 35-37).

Considering claim 23, Galle discloses the limitation of this claim (see col 7, lines 63-65 and fig 6B).

Considering claim 24 Galle discloses the limitation of this claim (see col 8, lines 4-7).

Considering claim 25, Galle discloses the limitation of this claim (see fig 6B).

Considering claim 26, Galle discloses the limitation of this claim (see col 8, lines 1-4).

Considering claims 27, 28 Galle discloses the limitations of these claims (see col 8, lines 4-6).

Considering claim 29 Galle discloses the limitation of this claim (see col 8, lines 7-9 and 22-25).

Considering claim 30 Galle discloses the limitation of this claim (see col 9, lines 5-16 and lines 31-33, col 11, lines 47-50 and fig 5, items A and B).

Considering claim 31 Galle discloses the limitation of this claim (see col 11, lines 47-50).

Considering claim 32 Galle discloses the limitation of this claim (see col 9, lines 31-41 and fig 5, items 32 and 19).

Considering claim 33 Galle discloses the limitation of this claim (see col 8, lines 37-40, col 9, lines 31-41, col 11, lines 47-50 and fig 5, items 32, 19 and 114).

Considering claim 34 Galle discloses the limitation of this claim (see col 11, lines 56-59 and figs 1 and 5).

Considering claim 36 Galle discloses the limitation of this claim (see col 7, lines 8-11).

Considering claim 37 Galle discloses the limitation of this claim (see col 9, lines 17-30).

Considering claim 38 Galle discloses the limitation of this claim (see col 7, lines 50-57).

Considering claim 39 Galle discloses the limitation of this claim (see col 7, lines 63-65 and fig 6B).

Considering claim 40, the limitations of this claim are interpreted and rejected as stated in claim 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Galle.

Considering claim 35 Galle does not specifically recite the signal conductor is arranged within a recess in the interior wall of the tubular. Examiner takes official notice this limitation is well known in the art.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

If the claimed invention is amended, Applicant is respectfully requested to indicate the portion(s) of the specification, which dictate(s) the structure/description relied upon to assist the Examiner in proper interpretation of the amended language and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication should be directed to Examiner Timothy Edwards, Jr. at telephone number (571) 272-3067. The examiner can normally be reached on Monday-Thursday, 8:00 a.m.-6:00 p.m. The examiner cannot be reached on Fridays.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman, can be reached at (571) 272-3059.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-4700, Mon-Fri., 8:30 a.m.-5:00 p.m.

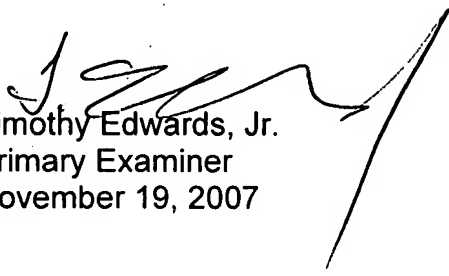
Any response to this action should be fax to:

(571) 273-8300 (for formal communications intended for entry).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov> or contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number:
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Art Unit: 2612

Page 7



Timothy Edwards, Jr.
Primary Examiner
November 19, 2007